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Current
Policy
No. 808

International Cooperation To Protect the Ozone Layer

United States Department of State
Bureau of Public Affairs
Washington, D.C.

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Following are an address by Richard E. Benedick, Deputy Assistant Secretary for Oceans and International Environmental and Scientific Affairs, before the U.S. Workshop on Protecting the Ozone Layer on March 6, 1986, and excerpts from a statement by Ambassador John D. Negroponte, Assistant Secretary for Oceans and International Environmental and Scientific Affairs, before the Senate Foreign Relations Committee on March 18, 1986, both in Washington, D.C.

MR. BENEDICK

I confess that, as a professional diplomat, it was with some diffidence that I accepted EPA's [Environmental Protection Agency] gracious invitation to address this impressive assembly of scientists. I have been told that the professional scientist, who is accustomed to dealing with great precision and clarity, finds it particularly difficult to listen with any patience at all to the professional diplomat, whose stock in trade is ambiguity. I think it was [former British Prime Minister] Harold Macmillan who once said that the conversation of a diplomat is disconcerting because it continually wobbles between the cliche and the indiscretion.

In any event, I will try today to avoid both dangers and to be both clear and brief in presenting a perspective on how your deliberations relate to a very innovative international process. I would like to share with you some thoughts about that process: where we have been internationally and where we are going.

International attention to the question of stratospheric ozone depletion began shortly after Rowland and Molina[1] published their now-famous theoretical paper. A number of international meetings were held on this subject during the late 1970s, at the same time as several nations began to issue domestic CFC [chlorofluorocarbons] regulations. In 1980, the Governing Council of the UN Environment Program (UNEP) decided to convene a Working Group of Experts to discuss appropriate international action to address this potential problem.

The UNEP Working Group decided early on in their deliberations to develop a convention—that is, an international treaty—on the ozone layer. Four years and several long negotiating sessions later, they completed their work on such a treaty. In March 1985, at a plenipotentiary conference in Vienna, Austria, where I represented the United States, 21 nations signed the Convention for the Protection of the Ozone Layer. This was a landmark event: it was the first time that the international community acted in concert on an environmental issue before there was substantial damage to the environment and health—in effect, acting together in anticipation of potential problems.

[1] Molina, Mario J., and F.S. Rowland. "Stratospheric Sink for Chlorofluoromethanes; Chlorine Atom-catalysed Destruction of Ozone," *Nature*, Vol. 249 (1974), pp. 810-812.

The Vienna convention creates a framework for international cooperation on research, monitoring, and information exchange concerning the ozone layer. It also creates general obligations to protect the ozone layer and provides procedures for eventually adopting protocols to the convention, which could contain specific measures to control, limit, prevent, or reduce emissions of ozone-modifying substances—should such measures be deemed necessary.

The convention text is now before the U.S. Senate for ratification, and we expect hearings on it later this month [see Negroponte statement on p. 2]. After 20 nations have ratified it, the convention becomes international law. It is noteworthy that both industry and environmental groups endorse this convention because of its potential contribution to development of better data. Surely it is in everyone's interest that any possible regulatory measures be considered on the basis of sound scientific and economic information rather than emotion.

Protocol To Control CFC Uses

As many of you may be aware, the question of a control protocol was the subject of considerable debate during the UNEP Working Group negotiations. In April 1983, Norway, Finland, and Sweden tabled a draft protocol for controlling all CFC uses. In October 1983, the United States voiced its support for that part of the Nordic proposal dealing with CFCs used as aerosol propellants.

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Eventually, the Nordics, along with Canada and Switzerland, joined us in supporting an international aerosol ban protocol.

On the other side of the debate, the nations of the European Economic Community—who represented the other major source of CFC production—were initially opposed to any further controls on CFCs. However, they eventually came out in support of a protocol—but like us, and not surprisingly, they supported one which mirrored what they already had in place: namely, a 30% reduction in aerosol use and a cap on future CFC production capacity.

During the debate on these two alternative control approaches, we pointed out many of the problems with their approach, and they, in turn, noted many of the flaws in our approach. The result was total gridlock, and there was no possibility for agreement on a protocol text at the Vienna conference.

However, because most of the conflict had centered on the economic and policy aspects of alternative control strategies, there was general agreement that it would be useful to convene a series of international workshops—outside a formal negotiating context—to examine in detail these questions. All parties also agreed to approach these workshops with an open mind and not wedded to their previous negotiating positions. And this certainly represents the U.S. position: we are prepared to reexamine the costs and benefits of various protocol options, including the option of no further controls at all at this point in time.

The first international workshop will be held in Rome during the last week of May and will have the same scope as our domestic workshop here. The United States will host the second international workshop in September, the purpose of which is to evaluate alternative strategies for international control. Our discussions here today and tomorrow, and a similar domestic workshop in July, will help to prepare the U.S. Government for the international workshops.

Assessing the Risk

In addition, scientific assessments are proceeding on a parallel track: NASA [National Aeronautics and Space Administration] has just completed 2 years of work on an international assessment of atmospheric processes, and EPA and UNEP are sponsoring an international scientific conference this June to look at the health, environmental, and climatic effects of ozone modification.

Looking back on the past round of negotiations, I believe that the international community may have put the cart before the horse: we are trying, in effect, to make a risk management decision before conducting a risk assessment.

Now we have put the horse back out in front where it belongs: these international workshops, together with their domestic counterparts, are all components of what is essentially an international risk assessment on modification of the ozone layer.

As far as I am aware, this is the first time that such a process has been deliberately established at the international level and, as such, it is truly an innovative approach. Regardless of the outcome of these activities with respect to CFCs, I believe that the process itself is likely to become a prototype for other global environmental issues. And all of you participating in this workshop can take satisfaction for contributing importantly to this process.

AMBASSADOR NEGROPONTE

It is a pleasure for me to testify before you today on the Vienna Convention for the Protection of the Ozone Layer.... We believe that this convention is an important step to coordinate international research, monitoring, and information exchange relevant to the issue of ozone layer modification. The convention represents an unusual effort by the international community to establish cooperative machinery and anticipate, before actual damage takes place, a potentially serious environmental problem that could affect all countries. Modification of the ozone layer would result in increased ultraviolet radiation and possible climatic changes, with potentially adverse effects on human health, crops, and other life on earth. Because of admitted gaps in our knowledge about potential depletion of the ozone layer, there is agreement that coordinated scientific research and international cooperation on this issue needs to be continued. That is why we strongly advocate the approval of the ozone convention by the committee.

Purposes of the Convention

The ozone convention, negotiated under the auspices of the UN Environment Program, is essentially an agreement to promote the international research and exchange of data on chlorofluorocarbons and other chemicals that may affect the ozone layer. As we study the environmental, scientific, and economic aspects of this problem, we need as much information as possible. Such data is needed if we are to attempt to make realistic projections of future CFC supply and demand.

For almost 10 years we have not had reliable worldwide data on CFC production. Since 1976 the Soviet Union, a major CFC producer, has not supplied production data, despite requests by UNEP and the U.S. Chemical Manufacturers Association, which attempts to publish CFC data annually on a worldwide basis. However, the U.S.S.R. participated in the negotiations and is a signatory to the convention. Other countries, such as China, may be producing CFCs, but they are not reporting this information. Once the ozone convention enters into force, perhaps within the next 2 years, it is expected that more countries, including the U.S.S.R., will provide CFC production data.

I must point out that the convention also provides procedures for development of possible future protocols aimed at controlling emissions of ozone-modifying chemicals. We should, however, make clear the distinction between the convention and any protocols that may eventually be negotiated under it. I should stress that our minds are open as to what further steps, if any, might be taken under the convention to protect the ozone layer, pending further consideration of the scientific and economic studies currently in process. Any protocol eventually proposed would, moreover, not be binding on the United States unless we were formally to agree to be bound.

U.S. Support for Ratification

As far as we are aware, there is no domestic U.S. opposition to the convention. Both the U.S. chemical industry and interested environmental organizations, which have been consulted and briefed by the U.S. Government during the negotiations, support the convention because of its potential contribution to the development of better scientific data. There is general agreement that it is desirable that any possible future regulatory measures be considered on the basis of sound scientific and economic data rather than emotion. I would also stress that the convention is not in itself a regulatory agreement.

The convention is consistent with U.S. legislation. In fact, we strongly believe it addresses the sense of Congress expressed in the Clean Air Act on ozone protection. It does not commit the United States to additional regulatory undertakings. It will facilitate our active information and research program on the ozone layer. We have determined that the convention does not have any significant adverse environmental impacts and is, in fact, expected to be beneficial for the United States. We expect that after the convention enters into force for the United States, the United States will make a modest financial contribution—perhaps up to $60,000 annually beginning in FY [fiscal year] 1988—to help pay for a small secretariat and regular meetings of the contracting parties.

The United States, both as a government and through the private sector, is the leading contributor to world scientific knowledge on the ozone layer and the impacts of potential depletion. For more than 3 years the United States played an active and significant role in the convention negotiations. The United States was one of 20 countries—plus the European Economic Community—signing the convention last March in Vienna. Since then, an additional six countries have signed.

Consistent with our global environmental responsibilities and interests, the United States should ratify the convention expeditiously to show that the research and information exchange which it will facilitate are important to us. Other countries expect us to take a leadership role here. Therefore, I urge that the Senate Foreign Relations Committee move to approve the convention soon so that the Senate can give its advice and consent to ratification this year. Early ratification by our country would encourage other countries to follow our example. ■

Published by the United States Department of State • Bureau of Public Affairs
Office of Public Communication • Editorial Division • Washington, D.C. • March 1986
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